

BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: 10/15/2024

*= Mandatory, information must be provided

Click or tap the boxes to enter text. If not applicable, indicate "N/A".

*Title:

FY25 Courts Fill the Gap Application

*Introduction/Background:

Request for continued funding from the state aid to the courts fund and local set-aside. The state aid to the courts fund is also referred to as the Fill the Gap fund.

*Discussion:

The state aid to the courts fund consists of moinies appropriated to the fund and monies allocated pursuant to the ARS 41-2421. The purpose of the fund, established in ARS 12-102.02, is to provide state aid to the superior court, including clerk of the court, and justice courts for the processing of criminal cases.

*Conclusion:

This annual funding from the state and local funds covers the salaries of pro tem judges and staff for the superior court criminal division, salaries of probation officers and other staff, and operating expenses which enhance criminal case processing for the Superior and Justice Courts in Pima County.

*Recommendation:

Endorsement of the FY25 FTG plan by the Chair of the Board of Supervisors is requested pursuant to ARS 12-102.02.02, section C.

*Fiscal Impact:

*Board of Supervisor District:

Without the continued Fill the Gap funding, timely criminal case processing would be compromised. Funds are used to supplement, not supplant other funds.

,	, j	3	F 4	5	™ All	
Departmen	t: Arizona	Superio	r Court fo	or Pima	County	Telephone: 520-724-3768
Contact: Ar	nna Maria	Wucker				Telephone: 520-724-3197

Department Director Signature:	aslandi R. Uria	Date:	9/23/24
Deputy County Administrator Signature		Date:	
County Administrator Signature:		Date:	

	FILL	THE GAP (FT FY 2	G) APF 4/25	PLICA	TION
Α. Δ	APPLICANT INFORMATION				
1.	COURT NAME: SUPERIOR CO	OURT IN PIMA COUNTY			
2.	CONTACT PERSON: RON OV CASSAN	ERHOLT IDRA URIAS			MINISTRATOR PUTY ADMINISTRATOR
4.	ADDRESS (STREET, CITY, STATE	, ZIP): 110 WEST CONG TUCSON, A		т 9 ^{тв} FLOC	DR
5.	PHONE: (520) 724-3768	6. FAX: (520) 724-	8367	ROVER	L ADDRESS: HOLT@SC.PIMA.GOV @SC.PIMA.GOV
B. E	BUDGET INFORMATION				
8.	PROJECT TITLE: FILL THE G	JAP			
9.	BEGIN DATE: 07/01/2024		END DATE:	06/30/20	25
10.	AMOUNT STATE FTG AMOUNT LOCAL FTG LOCAL BALANCE (COURT PORT			BALANCE (COURT PORTION): 24,056 :06/30/24	
11.	OTHER ACTIVE APPROVED O	GRANTS FOR FTG (STA	TE \$ AMOUN	т):	,
12.	New Request	CONTINUE PROJECT CONTINUE PROJECT	-	L STAFF	EXTEND PROJECT - TIME ONLY, NO ADDITIONAL FUNDS (PLEASE PROVIDE EXPLANATION FOR EXTENSION REQUEST) GPT #

C. PROJECT INFORMATION - SUPERIOR COURT IN PIMA COUNTY

PROJECT # 1: PRO TEMPORE DIVISION - SUPERIOR COURT

13. Description of Project Plan.

This is a continuing project. This project funds a judge pro tempore and JAA for a criminal division.

14. Describe the need for this project and how the expenditure of these monies will address the need.

This project fills a vital need to dispose of criminal cases. Without this division, the average number of cases per judicial officer would rise and cases would be delayed.

Funding for this judicial position is integral for continued efficient felony case processing. In FY23/24 criminal case filings were 5,014, a decrease of 11% from FY22/23. The division's felony case dispositions in FY23/24 increased 11% from 546 in FY22/23 to 604 in FY23/24.

The trial rate increased from 2.09% in FY22/23 to 2.31% in FY23/24. This rate is projected to decrease in FY24/25 to 1.91%. (The Arizona trial rate is 2% and the national rate is 3%).

Funding of \$331,839 is requested to cover one full time judge pro tempore and one judicial administrative assistant.

15. List the project's performance measures.

We project that this division will dispose of 8.90% of the Criminal Bench workload in FY24/25.

PROJECT #2: PRO TEMPORE DIVISION - SUPERIOR COURT

13. Description of Project Plan.

This is a continuing project. Fill the Gap (FTG) will provide partial funding of a felony pro tempore division.

14. Describe the need for this project and how the expenditure of these monies will address the need.

This project fills a vital need to dispose of criminal cases. Without this division, the average number of cases per judicial officer would rise and cases would be delayed.

Funding for this judicial position is integral for continued efficient felony case processing. In FY23/24 criminal case filings were 5,014, a decrease of 11% from FY22/23. The division's felony case dispositions in FY23/24 decreased 34% from 594 in FY22/23 to 393 in FY23/24.

The trial rate increased from 2.09% in FY22/23 to 2.31% in FY23/24. This rate is projected to decrease in FY24/25 to 1.91%. (The Arizona trial rate is 2% and nationally, the rate is 3%).

Funding of \$130,944 will cover a portion of the salary for a judge pro tempore at .57 FTE.

15. List the project's performance measures.

We project that this division will dispose of 4.97% of the Criminal Bench workload in FY24/25.

PROJECT #3: PRETRIAL INTAKE UNIT - SUPERIOR COURT

13. Description of Project Plan.

The pretrial services intake unit provides services to support two daily first appearance calendars. This funding supports 2.06 FTE Pretrial Services Officers who screen detainees and prepare pre-release reports for submission to judges.

14. Describe the need for this project and how the expenditure of these monies will address the need.

Without this funding, the court would experience difficulty in making sound decisions regarding whether an accused should be released. This would likely lead to jail overcrowding and could compromise public safety. The court calendar, already overburdened, would experience more stress since those incarcerated defendants are assigned a higher priority on the docket. Funds totaling \$154,374 are requested for 2.06 FTE Pretrial Services Officers.

15. List the project's performance measures.

The pretrial services program goal is to screen and make reports for 99.5% of felony arrestees. In FY23/24, 99.5% were screened, with reports submitted. We expect to achieve this same percentage of screenings and reports in FY24/25.

C. PROJECT INFORMATION - CLERK OF THE SUPERIOR COURT IN PIMA COUNTY

PROJECT # 4: MINUTE ENTRY DISTRIBUTION PROJECT - CLERK OF SUPERIOR COURT

13. Description of Project Plan.

This Fill the Gap project allows for the lease and maintenance of our high-speed copier/printer. In order to meet the timeliness and delivery demands of minute entry distributions within acceptable timeframes, personnel and the lease and maintenance of our high-speed copier/printer are critical to the process.

14. Describe the need for this project and how the expenditure of these monies will address the need.

Although electronic distribution of minute entries will be utilized for attorneys and some parties, minute entries to most parties, including criminal defendants, are distributed by mail. The increase in the numbers of minute entries, as well as the decrease in personnel to perform these functions, has inspired this project.

The management and maintenance of the court order distribution process is one of the keys to success for this project. Quality control measures such as maintaining and updating physical and email addresses, screening of minute entries for completeness and ensuring updates are made for active and inactive entities are keys in maintaining accurate information and ensuring an efficient process. There are 4-6 people working to process and mail these minute entries. Funding for this project is \$147,339 of which \$139,339 partially covers 2 FTE's and \$4,000 partially covers operating expenses.

15. List the project's performance measures.

The performance of this program can be measured in timeliness, efficiency and effectiveness, and delivery of minute entries.

Timeliness and delivery are measured as follows. Minute entries are received for distribution via electronic format or paper format through manual pickup or electronic batch processing. Process and distribution are performed at various times throughout the workday in order to ensure that minute entries are distributed on the day they are received and delivered either electronically (email) or by paper (US Mail).

Efficiency is measured by monitoring and maintenance of the email inbox for mail bounce-back notifications for electronically distributed minute entries. The quality control verification of a mailing addresses in the court's case management system which are used for distribution of some minute entries is done to avoid return mail and prevent the loss of bulk mailing postage rates.

Effectiveness is measured by a no-backlog status of minute entries awaiting distribution. Minute entries are distributed on the day they are received.

PROJECT # 5: DOCUMENT PROCESSING/IMAGING - CLERK OF SUPERIOR COURT

13. Description of Project Plan.

This project allows for the timely distribution of criminal filings and minute entries due to the prioritization of these cases. It also enables us to back scan older active cases and pre-sentence reports. This allows the probation department and the Court timely access to case information and enhances case processing.

14. Describe the need for this project and how the expenditure of these monies will address the need.

We have seen a more efficient and timely electronic distribution of minute entries and information on hearings in the past year. The document processing center is key in handling automated distribution as well as folding, stuffing, and mailing of minute entries and notices. The imaging center continues to prioritize criminal case filings, minute entries and notices that provide much needed information for defendants and other criminal justice agencies dependent on this information. In addition, the imaging center is responsible for back scanning of cases and pre-sentence reports. Both units are supported partially (.05 FTE) by Business Strategist as supervision and as problems/questions arise. Funding for this project covers \$4,000 for office supplies and for other operating expenses.

15. List the project's performance measures.

The performance measures used for the document processing center will be the amount of time it takes to efficiently distribute court documents via electronic methods, courier, or U.S. Postal Service.

C. PROJECT INFORMATION - PIMA COUNTY CONSOLIDATED JUSTICE COURT (PCCJC)

PROJECT # 6: PROBATION SUPERVISION - PIMA COUNTY CONSOLIDATED JUSTICE COURT- PCCJC

13. Description of Project Plan.

Superior Court provides two full-time probation officers to Pima County Consolidated Justice Court to conduct pre-sentence investigations, prepare pre-sentence reports, ensure defendant compliance with conditions of supervised probation, and prepare petitions to revoke and/or arrest warrants when required. Each officer carries a caseload of approximately 149 defendants, a majority of which have been convicted of DUI and domestic violence non-intimate charges, a limited number of misdemeanor charges, as well as defendants convicted in the animal welfare specialty court. The salary and benefits costs for these two officers will be covered by Fill the Gap funds, allocated between the two courts. PCCJC is requesting funding to cover salaries and ERE for 1.50 FTE equivalent in costs, and costs for the remaining .50 FTE will be covered by Superior Court.

14. Describe the need for this project and how the expenditure of these monies will address the need. The availability of probation officers is an essential service to the Court. Adjudicating these cases in a timely manner requires officers of the Court to conduct pre-sentence investigations and provide reports on the results of those investigations to the judicial officer overseeing each case. Funding for this project is \$114,070 which covers 1.50 FTEs.

15. List the project's performance measures.

Probation officers assigned to PCCJC supervised 399 cases in FY22/23, and 270 cases in FY23/24. The Court projects supervised probation officer's caseload to be 334 cases in FY24/25.

PROJECT # 7: APPEARANCE BOND EXPENSE - PIMA COUNTY CONSOLIDATED JUSTICE COURT- PCCIC

13. Description of Project Plan.

The Pima County Sheriff's Department accepts cash and surety bail bonds for individuals incarcerated in the Pima County Adult Detention Complex twenty-four (24) hours per day, seven (7) days per week for all courts in Pima County.

14. Describe the need for this project and how the expenditure of these monies will address the need. Having a centralized location for the acceptance of bonds for all Pima County courts is a service that is provided and the court the does not need to provide staffing after hours. The estimated cost for this service in FY25 for the Consolidated Justice Court will be \$16,761.

15. List the project's performance measures.

Bonds will be collected and managed more efficiently by having a centralized location.

PROJECT # 8: POSTAGE & NOTICE SERVICES - PIMA COUNTY CONSOLIDATED JUSTICE COURT- PCCJC

13. Description of Project Plan.

The court has seen an increased number of notices being mailed out to parties due to the rise in case processing and is requesting \$5,377 in postage and \$3,000 to cover additional supply needs and envelopes. In addition, \$4,000 to cover expenses related to electronic notices/postcards in criminal cases for court date and payment reminders to parties in criminal cases.

14. Describe the need for this project and how the expenditure of these monies will address the need.

The court is requesting the additional funding in FY25 to comply with mandated noticing to parties is criminal matters and to ensure parties are informed of their future court dates and payment reminders.

15. List the project's performance measures.

The court will have adequate funding to ensure compliance with mandated noticing to parties on criminal cases.

C. PROJECT INFORMATION - GREEN VALLEY JUSTICE COURT

PROJECT #9: Pro Tempore Services - Green Valley Justice Court

13. Description of Project Plan.

Pro Tempores are necessary to preside over criminal, civil, and criminal traffic cases when the presiding judge is ill, on vacation, or at a judicial conference. The Court has been very conservative in utilizing pro tempores and will continue to do so. For example, the Court budgets for a total of 12 Pro Tempores Judge days per year. However, these 12 days are frequently broken up into half-days, so that a Pro Tem can be used for a total of 24 morning or afternoon calendars. Further, 12 Pro Tem days per year is consistent with Limited Jurisdiction courts throughout Arizona and most other States. The cost of a Pro Tem is \$460.00 per day (\$230 per half day), for a total of about \$5,520 per year.

14. Describe the need for this project and how the expenditure of these monies will address the need.

The Court is requesting \$1,000 in Fill The Gap monies to fund pro tempore service expenditures. Funding for pro tempore services is crucial to the continued efficiency of criminal case processing. If this funding is not approved, the court may have to transfer conflict cases to another court or reset cases to another date. Rescheduling creates delays and is an inconvenience to defendants.

15. List the project's performance measures.

The Court will track the number of cases handled by the pro tempore for the fiscal year. The Court typically uses Pro Tem judges for our Thursday criminal arraignment calendar, when Judge Carroll is unavailable. However, the Court also uses Pro Tem judges to hear civil trials as well. Our Court is further fortunate in that we are typically able to engage the services of Judge Pro Tem Frederick Klein. Judge Klein has served our Court many times over the years, so that he is very familiar with our staff and facilities. The performance measures of Judge Klein are excellent.

PROJECT # 10: Twice-a-Day Initial Appearances (2XIA) Cost Distribution - Green Valley Justice Court

13. Description of Project Plan.

The Green Valley Justice Court participates in Pima County's twice daily initial appearance program, known locally as 2XIA, and pays a proportionate share of program expenses.

14. Describe the need for this project and how the expenditure of these monies will address the need.

This program was established in conjunction with a remodel of the Pima County jail many years ago. Rather than booking inmates, they are held in a central holding area for a minimum of 12 hours. The program has significantly reduced jail costs for the County. Initial appearances are held at the jail and staffed by the Superior Court, City Court and the Pima County Consolidated Justice Court. The Green Valley Justice Court shares the cost of expenses for its defendants. Costs for FY24/25 are projected to be \$4,500.

15. List the project's performance measures.

Performance equates to cost and consistency in release conditions. It would be much more expensive if Green Valley had to provide judicial services and staff to manage this function.

PROJECT # 11: APPEARANCE BOND EXPENSE - Green Valley Justice Court

13. Description of Project Plan.

Sheriff's staff at the Pima County jail collect and process bonds for all courts in Pima County.

14. Describe the need for this project and how the expenditure of these monies will address the need.

It is estimated that the cost of performing this service in FY 24/25 for the Green Valley Justice Court will be \$700.

15. List the project's performance measures.

Bonds will be collected and appropriately managed.

PROJECT # 12: POSTAGE & SUPPLIES - GREEN VALLEY JUSTICE COURT

13. Description of Project Plan.

The Court expects to have an increase in office supply and postage expenditures due to increased caseloads.

14. Describe the need for this project and how the expenditure of these monies will address the need.

The Court is requesting \$7,259 in postage and supplies in FY24/25 to comply with mandated noticing of actions taken by the Court and purchase of supplies for case processing.

15. List the project's performance measures.

The Court will be able to pay postage/supply expenses to ensure required noticing as mandated.

PROJECT #13: INTERPRETER SERVICES - GREEN VALLEY JUSTICE COURT

13. Description of Project Plan.

The Court currently schedules a Spanish-speaking interpreter one day every 60 days but may have to add additional days to the court calendar. The Court also incurs expenses through Language Line for Defendants who appear as a walk-in and need to see the Judge. The cost of our Spanish-speaking interpreter is \$150 per day, plus an additional \$42 for travel expenses to our rural courthouse, for a total of $$192 \times 6$ days = \$1,152

14. Describe the need for this project and how the expenditure of these monies will address the need.

The Court is requesting \$1,000 for certified interpreter services in FY24/25 to comply with the courts Language Access Plan.

15. List the project's performance measures.

The Court will be able to pay interpreter expenses to ensure a certified interpreter is available to defendants.

C. PROJECT INFORMATION - AJO JUSTICE COURT

PROJECT #14: Professional Training - AJO JUSTICE COURT

13. Description of Project Plan.

The Court will use FTG to provide individualized training for staff related to the state's various civil, misdemeanor and traffic case management systems. The training ensures that all staff receives the same initial and ongoing standardized training, thus improving the accuracy of information entered in the system countywide.

14. Describe the need for this project and how the expenditure of these monies will address the need.

The Court has recently had some changes in staffing, requiring new training for existing and new staff members. Without this training and support, the risk of incorrect data entry and inaccurate calendars would cause delays in criminal case processing. Training is provided both remotely and onsite as required. The Court's share of the cost is estimated to be \$5,250.

15 List the project's performance measures.

Continued satisfaction of the Court with the services provided.

PROJECT #15: First Appearance (2XIA) Cost Distribution - AJO JUSTICE COURT

13. Description of Project Plan.

For several years, three court partners in Pima County – Superior Court, Tucson City Court, and the Consolidated Justice Court have incurred and shared the costs of maintaining a twice-daily initial arraignment program known as 2XIA. The Ajo Justice Court will continue to participate in this program and will pay a proportionate share of the total cost.

14. Describe the need for this project and how the expenditure of these monies will address the need.

The 2XIA program was designed to provide twice-daily initial appearance capabilities for all courts within Pima County. The primary benefit of this program is the ability to share the direct overhead costs of this program on a pro-rata basis for the benefit of all partners yet meet our statutory requirements. Costs for 2XIA are estimated at \$1,650.

15. List the project's performance measures.

Funding will allow the Court to continue to meet this statutory mandate in a cost-effective manner.

PROJECT #16: ACAP Ongoing Support and Maintenance - AJO JUSTICE COURT

13. Description of Project Plan.

Each year, the Court is required to submit payment to the AOC for support and maintenance of our computer equipment. This is a statewide requirement and there is no exception.

14. Describe the need for this project and how the expenditure of these monies will address the need.

The Ajo Justice Court is required to pay the AOC an annual fee based upon the number of automation devices we own. This is a cost that is unavoidable and for which no general fund monies have been available. Costs for this project are estimated to be \$5,000.

15. List the project's performance measures.

The ability to utilize Fill the Gap funds for this expenditure will enable the Court to provide for this mandated expense without depleting other critical funding sources.

D. BUDGET – SUPERIOR COURT IN PIMA COUNT	「Y (SEE ATTACHMENT FOR COMPLETE	BREAKDO	WN OF PROPOSED EXPENDITURES).
PERSONNEL		\$	617,157
Professional Services		\$	
TRAVEL		\$	
OTHER OPERATING		\$	
OFFICE EQUIPMENT		\$	
COMPUTER EQUIPMENT		\$	
	TOTAL	\$	617,157
D. BUDGET – CLERK OF THE SUPERIOR COURT	(SEE ATTACHMENT FOR COMPLETE	BREAKDOV	VN OF PROPOSED EXPENDITURES).
PERSONNEL		\$	139,339
Professional Services		\$	
TRAVEL		\$	
OTHER OPERATING		\$	8,000
OFFICE EQUIPMENT		\$	
COMPUTER EQUIPMENT		\$	
	TOTAL	\$	147,339
D. BUDGET — PIMA COUNTY CONSOLIDATED JU (SEE ATTACHMENT FOR COMPLETE BREAKDOWN OF PRO			
Personnel	•	\$	114,070
PROFESSIONAL SERVICES		\$	16,761
Travel		\$	
OTHER OPERATING	·	\$	12,377
OFFICE EQUIPMENT		\$	
COMPUTER EQUIPMENT		\$	
	TOTAL	\$	143,208

D. BUDGET — GREEN VALLEY JUSTICE COURT (SEE ATTACHMENT FOR COMPLE	ETE BREAKDOWN (OF PROPOSI	ED EXPENDITURES).
PERSONNEL		\$	
Professional Services		\$	7,200
TRAVEL		\$	
OTHER OPERATING		\$	7,259
OFFICE EQUIPMENT	-	\$	
COMPUTER EQUIPMENT		\$	
	TOTAL	\$	14,459
D. BUDGET – AJO JUSTICE COURT (SEE ATTACHMENT FOR COMPLETE BREAKE	OWN OF PROPOS	ED EXPEND	itureS).
PERSONNEL		\$	
PROFESSIONAL SERVICES		\$	11,900
TRAVEL		\$	
OTHER OPERATING		\$	
OFFICE EQUIPMENT	•	\$	***************************************
COMPUTER EQUIPMENT		\$	Allaha
	TOTAL	. \$	11,900

E. PERSONNEL EXPENDITURE DETAIL

SUPERIOR COURT

Number of Positions	Position Description (use additional sheets if necessary)	Salary Amount (Include ERE)
2.06	Case Analysts	\$154,374
1.00	Judge Pro Tempore	\$243,632
.57	Judge Pro Tempore	\$130,944
1.00	Judicial Administrative Assistant	\$88,207
Total		\$617,157

CLERK OF THE SUPERIOR COURT

Number of Positions	Position Description (use additional sheets if necessary)	Salary Amount (Include ERE)
1.00	Unit Supervisor	\$81,306
1.00	Support Specialist	\$58,033
Total		\$139,339

PIMA COUNTY CONSOLIDATED JUSTICE COURT

Number of Positions	Position Description (use additional sheets if necessary)	Salary Amount (Include ERE)
1.50	Adult Probation Officers	\$114,070
		·
Total		\$114,070

E. PERSONNEL EXPENDITURE DETAIL (CONT'D)

GREEN VALLEY JUSTICE COURT

Number of Positions	Position Description (use additional sheets if necessary)	Salary Amount (Include ERE)
		\$
	· · · · · · · · · · · · · · · · · · ·	\$
		\$
	·	\$
Total	·	\$

AJO JUSTICE COURT

Number of Positions	Position Description (use additional sheets if necessary)	Salary Amount (Include ERE)
		\$
		\$
		\$
		\$
Total		\$

F. EQUIPMENT EXPENDITURE DETAIL

SUPERIOR COURT

Type of Equipment/Furniture/Other Operating	Amount
	\$
Total	\$

CLERK OF THE SUPERIOR COURT

Type of Equipment/Furniture/Other Operating	Amount
Office Supplies	\$8,000
Total	\$8,000

PIMA COUNTY CONSOLIDATED JUSTICE COURT

Type of Equipment/Furniture/Other Operating	Amount
Professional Services	\$16,761
Postage and electronic postcards	\$12,377
Total	\$29,138

GREEN VALLEY JUSTICE COURT

Type of Equipment/Furniture/Other Operating	Amount
Professional Services	\$7,200
Other Operating	\$7,259
Total	\$ 14,459

AJO JUSTICE COURT

Type of Equipment/Furniture/Other Operating	Amount
Professional Services	\$11,900
Total	\$11,900

G. SIGNATURES OF SUBMITTING PARTIES		
AGREE DISAGREE (ATTACH EXPLANATION)		☐ AGREE ☐ DISAGREE (ATTACH EXPLANATION)
HONORABLE Daneile B. Liwski PRESIDING JUDGE SUPERIOR COURT	DATE	HONORABLE ADELITA S. GRIJALVA DATE CHAIRMAN, BOARD OF SUPERVISORS
☑ AGREE ☐ DISAGREE (ATTACH EXPLANATION)	· ,	AGREE DISAGREE (ATTACH EXPLANATION)
Giacomino, Digitally signed by Giacomino, James Dăte: 2024,09.19 10:23:48 -07'00' HONORABLE GARY HARRISON CLERK OF THE SUPERIOR COURT	9/19/24 Date	HONORABLE Danelle B-Liwski DATE PIMA COUNTY CONSOLIDATED
	•	JUSTICE COURT
☐ AGREE (ATTACH EXPLANATION)	,	✓ Agree ☐ Disagree (ATTACH EXPLANATION)
Raymond Carroll Date: 2024.09.18 14:58:04-0700		- 09/18/24
HONORABLE RAY CARROLL JUSTICE OF THE PEACE GREEN VALLEY JUSTICE COURT	DATE	HONORABLE SARA WILLIAMS DATE JUSTICE OF THE PEACE AJO JUSTICE COURT
	Administrative Grant Specialist, 1501 W. Was	Application and send to: Office of the Courts Court Services Division Shington, Suite 410 IIX, AZ 85007